

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**Case No. 3:03-CR-126**

**-vs-**

**District Judge Thomas M. Rose**

**DERRICK ARMSTRONG,**

**Defendant.**

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**AMENDED JUDGMENT ENTRY**

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On October 13, 2004, Judgment (doc. 39) was entered sentencing the Defendant to the Bureau of Prisons for a period of 156 months on Count I, 60 months on Count II, and 120 months on Count III. Counts I and III were to be served concurrently to each other and consecutively to Count II.

Although annotated on the docket and located in the minutes of the hearing (doc. 38), the Court's order to also have the Defendant's Federal sentences run concurrent with any State sentence the Defendant was serving was not contained in the judgment's text. Subsequent amended judgments (docs. 75 and 81) that reduced Defendant's original sentences, also did not annotate or reflect that the imposed Federal sentences should run concurrent with any State sentence the Defendant may be serving.

Therefore, the COURT ORDERS that the Defendant's original sentencing entry and his two (2) subsequent orders of sentence reduction be amended to reflect that his Federal sentences are to run concurrently with any State sentence the Defendant was serving at the time of his original disposition.

Defendant's final sentence of imprisonment is ORDERED to reflect a sentence of 120 months on Count I, 60 months on Count II, and 120 months on Count III. Counts I and III are to run concurrent to each other and consecutive to Count II for a total sentence of incarceration of 180 months. Said sentence is to be served concurrent to any State sentence of incarceration being served at the time of original sentence on October 8, 2004. Except as noted, all other provisions of the previously filed Judgment shall remain in effect.

IT IS SO ORDERED.

Date: 3-12-12

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a horizontal line and a small flourish.

THOMAS M. ROSE, JUDGE  
UNITED STATES DISTRICT COURT